

REMARKS

Claims 13-35 are pending.

The applicant acknowledges with thanks the Examiner's indication that claims 17, 19-22, 30, and 35 would be allowable.

The Examiner rejected claims 13-16, 18, 23-25, 28 and 33 under 35 U.S.C. §103(a) as being obvious over U.S. Patent No. 6,587,906 to Wolrich. Additionally, the Examiner rejected claims 26, 27, 29, 31, 32, and 34 under 35 U.S.C. §102(e) as being anticipated by Wolrich.

The Examiner explained, with respect to the above rejected claims, that the Wolrich reference constitutes prior art under 35 U.S.C. §102(e) based on an alleged effective U.S. filing date that is earlier than the present application's effective filing date.

Wolrich states on the title page and col. 1, lines 1-2, that, "This application is a continuation of U.S. application Serial No. 09/470,541 filed on Dec. 22, 1999, now U.S. Pat. No. 6,532,509." Thus, Wolrich's effective U.S. filing date is December 22, 1999.

The above-identified application, on the other hand, is a continuation application of U.S. Patent Application Serial No. 09/387,046, entitled "MICROENGINE FOR PARALLEL PROCESSOR ARCHITECTURE" and claims priority therefrom. The filing date of the 09/387,046 application, and thus the effective date of the above-identified application, is August 31, 1999. Applicant properly claimed priority to the '046 application in the Preliminary Amendment filed on August 19, 2003 and in the August 19, 2004 Transmittal Letter that accompanied filing of this continuation application. Applicant notes that all these documents are available on the PAIR system maintained by the Patent Office.

Thus, contrary to the Examiner's assertion, the cited Wolrich reference does not have an earlier effective U.S. filing date than that of the present application. Accordingly, the Wolrich reference is not a proper 102(e) reference to cite against the present application.

Applicant thus traverses the Examiner's rejections. Applicant respectfully requests that the Examiner's rejections be withdrawn, and that claims 13-35 be allowed.

It is believed that all the rejections and/or objections raised by the examiner have been addressed.

Applicant : Debra Bernstein et al.
Serial No. : 10/643,438
Filed : August 19, 2003
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Canceled claims, if any, have been canceled without prejudice or disclaimer.

Any circumstance in which the applicant has (a) addressed certain comments of the examiner does not mean that the applicant concedes other comments of the examiner, (b) made arguments for the patentability of some claims does not mean that there are not other good reasons for patentability of those claims and other claims, or (c) amended or canceled a claim does not mean that the applicant concedes any of the examiner's positions with respect to that claim or other claims.

Enclosed is a Petition for One Month Extension of Time, with the required fee of \$120. Please apply any other charges to deposit account 06-1050, referencing attorney docket 10559-076002.

Respectfully submitted,

Date:

Aug. 26, 2005

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